

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

LEVON WALKER,

Plaintiff,

Civil Action No. 14-CV-13679

v.

Honorable Patrick J. Duggan

COMMISSIONER OF
SOCIAL SECURITY,

Defendant.

**ORDER ADOPTING THE MAGISTRATE JUDGE'S REPORT AND
RECOMMENDATION, GRANTING PLAINTIFF'S MOTION FOR
SUMMARY JUDGMENT, DENYING DEFENDANT'S MOTION FOR
SUMMARY JUDGMENT, AND REMANDING FOR FURTHER
PROCEEDINGS PURSUANT TO SENTENCE FOUR OF 42 U.S.C. § 405(g)**

On September 23, 2014, Plaintiff filed this lawsuit challenging the final decision of the Commissioner denying his application for disability insurance benefits from his alleged onset date of March 31, 2011 to the ALJ-established onset date of June 26, 2012. The parties filed cross-motions for summary judgment, which were referred to Magistrate Judge Michael Hluchaniuk.

On August 19, 2015, Magistrate Judge Hluchaniuk issued a Report and Recommendation (R&R) recommending that the Court (1) grant Plaintiff's motion for summary judgment, (2) deny Defendant's motion for summary judgment, and (3) remand the case for further proceedings pursuant to sentence four of 42 U.S.C.

§ 405(g). At the conclusion of the R&R, Magistrate Judge Hluchaniuk advised the parties that they may object and seek review of the R&R within fourteen days. R&R at 20 (ECF No. 13). He further specifically advised the parties that “[f]ailure to file specific objections constitutes a waiver of any further right of appeal.” *Id.* Neither party has filed objections to the R&R, and the time to do so has expired.

The Court has carefully reviewed the R&R and concurs with the conclusions reached by the Magistrate Judge. The Court therefore adopts the Magistrate Judge’s R&R. Accordingly,

IT IS ORDERED that Plaintiff’s motion for summary judgment is **GRANTED**;

IT IS FURTHER ORDERED that Defendant’s motion for summary judgment is **DENIED**.

IT IS FURTHER ORDERED that the matter is remanded for further proceedings pursuant to sentence four of 42 U.S.C. § 405(g).

Dated: September 9, 2015

s/PATRICK J. DUGGAN
UNITED STATES DISTRICT JUDGE

Copies to:

Andrea L. Hamm, Esq.
Derri T. Thomas, Esq.
Rami M. Vanegas, Esq.